UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK

ECO FARMS SALES, INC., individually and on behalf of all other similarly situated,

Plaintiff.

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

- VS -

XEROX CORPORATION.

Defendant.

Civil Action No.: 17-cv-06637-MAT

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties, that, pursuant to Fed.R.Civ.P. 41(a)(1)(A)(ii), by and between the undersigned, that this action is hereby dismissed. This dismissal is on the merits and with prejudice and without costs or fees to any party.

Dated: January 19, 2018

By: s/ E. Adam Webb

E. Adam Webb

WEBB, KLASE & LEMOND, LLC

1900 The Exchange, S.E.

Suite 480

Atlanta, Georgia 30339

Telephone: (770) 444-0773

Adam@WebbLLC.com

Attorneys for Plaintiff Eco Farms Sales, Inc.

Dated: January 19, 2018

By: s/ Carolyn Nussbaum

Carolyn G. Nussbaum Meghan K. McGuire

NIXON PEABODY LLP

1300 Clinton Square

Rochester, NY 14604

Telephone: (585) 263-1558 cnussbaum@nixonpeabody.com

mkmcguire@nixonpeabody.com

Attorneys for Defendant Xerox Corporation

SO ORDERED

MICHAELA, TELESCA United States District Judge